

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GARDEN CITY BOXING CLUB, INC.,

USDC SDNY
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ELECTRONICALLY FILED
DOC #:
DATE FILED: <u>3/19/07</u>

Plaintiff,

-against-

05 Civ. 8235 (DAB)
ADOPTION OF REPORT &
RECOMMENDATION

ADAM GIL, ET AL.,

Defendants.

-----x
DEBORAH A. BATTS, United States District Judge.

The above-captioned matter was referred to Magistrate Judge Andrew J. Peck on July 7, 2006, after this Court granted Plaintiff a default judgment against Defendants Adam Gil and Sol Poblano Restaurant & Pizza, Inc. Plaintiff's Complaint alleged that Defendants violated the Federal Communications Act of 1934, 47 U.S.C. §§ 553 and 605 by intercepting, receiving, descrambling and exhibiting the closed-circuit, pay-per-view November 27, 2004 Barrera/Morales boxing match and related undercard bouts without permission from Plaintiff. On August 3, 2006, Magistrate Judge Peck issued a Report and Recommendation ("Report"), recommending that Plaintiff be awarded \$20,000 in statutory damages and \$1,980.25 in attorneys' fees and costs.

Pursuant to 28 U.S.C. § 636(b)(1)(C), "[w]ithin ten days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations." See also Fed. R. Civ. Pro. Rule 72(b). The

District Court is required under 28 U.S.C. § 636(b)(1)(C) to make a "de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." Where no timely objection has been made, "a district court need only satisfy itself there is no clear error on the face of the record." Nelson v. Smith, 618 F.Supp. 1186, 1189 (S.D.N.Y. 1985). After conducting the appropriate level of review, the Court may then accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate. 28 U.S.C. § 636(b)(1)(C); see also Local Civil Rule 72.1(d).

No objections to said Report and Recommendation were filed. Accordingly, having reviewed the Report and Recommendation, and finding no clear error on the face of the record, it is hereby

ORDERED AND ADJUDGED as follows:

1. The Report and Recommendation of United States Magistrate Judge Andrew J. Peck, dated August 3, 2006, is approved, adopted, and ratified by the Court in its entirety.
2. Upon entry of judgment, the Clerk of Court is hereby respectfully direct to close the docket in this case.

SO ORDERED.

Dated: New York, New York
March 19, 2007

Deborah A. Batts
Deborah A. Batts
United States District Judge